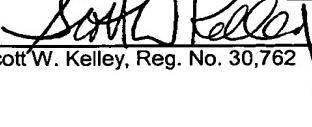


I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 27, 2004.


Scott W. Kelley, Reg. No. 30,762

May 27, 2004
Date



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of) Group Art Unit: 3738
)
Ashok C. Khandkar et al.) Examiner: Blanco, J.G.
)
Serial No. 10/737,108)
)
Filed: December 15, 2003) Docket No. 43662-Amedica
)
For: **TOTAL DISC IMPLANT**)
)

)

REQUEST FOR ONE-MONTH EXTENSION OF TIME

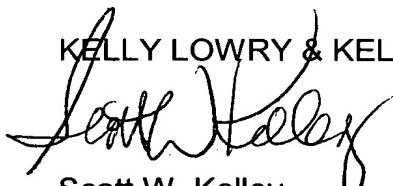
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant respectfully petitions for a one-month extension of time to respond to the Office Action dated April 19, 2004, in the above-identified application. The requisite fee for this request in the amount of \$55.00 as prescribed in 37 C.F.R. §1.136(a) is submitted herewith.

Respectfully submitted,

KELLY LOWRY & KELLEY, LLP


Scott W. Kelley
Registration No. 30,762

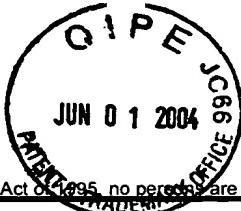
SWK:cw
6320 Canoga Avenue, Suite 1650
Woodland Hills, California 91367
(818) 347-7900

06/02/2004 TLUU11 00000022 10737108

01 FC:2251

55.00 0P

AMEDICA-43662
SN 10/737,108
TIME EXTENSION



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 55.00)

Complete if Known

Application Number	10/737,108
Filing Date	December 15, 2004
First Named Inventor	Ashok C. Khandkar
Examiner Name	Blanco, J.G.
Art Unit	3738
Attorney Docket No.	43662-Amedica

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

Deposit Account:

Deposit Account Number	_____
Deposit Account Name	_____

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	_____
1002 340	2002 170	Design filing fee	_____
1003 530	2003 265	Plant filing fee	_____
1004 770	2004 385	Reissue filing fee	_____
1005 160	2005 80	Provisional filing fee	_____
SUBTOTAL (1) (\$)			_____

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
25	2		53*	0 x 9 =	---
			4*	0 x 43 =	---

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	_____
1201 86	2201 43	Independent claims in excess of 3	_____
1203 290	2203 145	Multiple dependent claim, if not paid	_____
1204 86	2204 43	** Reissue independent claims over original patent	_____
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	_____
SUBTOTAL (2) (\$)			_____

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	_____
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	_____
1053	130	1053	130	Non-English specification	_____
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	_____
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	_____
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	_____
1251	110	2251	55	Extension for reply within first month	55.00
1252	420	2252	210	Extension for reply within second month	_____
1253	950	2253	475	Extension for reply within third month	_____
1254	1,480	2254	740	Extension for reply within fourth month	_____
1255	2,010	2255	1,005	Extension for reply within fifth month	_____
1401	330	2401	165	Notice of Appeal	_____
1402	330	2402	165	Filing a brief in support of an appeal	_____
1403	290	2403	145	Request for oral hearing	_____
1451	1,510	1451	1,510	Petition to institute a public use proceeding	_____
1452	110	2452	55	Petition to revive - unavoidable	_____
1453	1,330	2453	665	Petition to revive - unintentional	_____
1501	1,330	2501	665	Utility issue fee (or reissue)	_____
1502	480	2502	240	Design issue fee	_____
1503	640	2503	320	Plant issue fee	_____
1460	130	1460	130	Petitions to the Commissioner	_____
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	_____
1806	180	1806	180	Submission of Information Disclosure Stmt	_____
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	_____
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	_____
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	_____
1801	770	2801	385	Request for Continued Examination (RCE)	_____
1802	900	1802	900	Request for expedited examination of a design application	_____

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 55.00)

(Complete if applicable)

Name (Print/Type)	Scott V. Kelley	Registration No. (Attorney/Agent)	30,762	Telephone	818-347-7900
Signature			Date	05/27/2004	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.